

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADVANCEME, INC.

§

Plaintiff,

§

v.

§

CAUSE NO. 6:05-CV- 424 (LED)

**RAPIDPAY, LLC, BUSINESS CAPITAL
CORPORATION, FIRST FUNDS LLC,
MERCHANT MONEY TREE, INC.,
REACH FINANCIAL, LLC and
FAST TRANSACT, INC. d/b/a
SIMPLE CASH,**

§

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§

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§

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Defendants.

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DEFENDANTS' AFFIRMATIVE DEPOSITION DESIGNATIONS

Defendants First Funds, LLC, Merchant Money Tree, Inc., and Reach Financial, LLC (“Defendants”) hereby submit their affirmative deposition designations.

Defendants reserve the right to amend and/or supplement their affirmative designations, depending on the manner and order in which Plaintiff’s proof is presented at trial. Some of the deposition testimony designated below may better serve as counter-designations to affirmative deposition offers filed by Plaintiff. Defendants, therefore, reserve the right to re-designate any of their affirmative offers listed below as counter-designations to Plaintiff’s affirmative offers.

Defendants also reserve the right to make additional counter-designations to Plaintiff’s affirmative offers. Defendants further reserve the right to de-designate any of their affirmative offers listed below and not offer such testimony either as an affirmative offer or as a counter-designation at trial.

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7. RUTH ELASRI
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11. BARBARA S. JOHNSON
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DEPOSITION OF ALLEN ABBOTT

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Dated: June 12, 2007

Respectfully submitted,

By : /s/ Joseph D. Gray
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